



Crl.O.P.(MD)No.10338 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15.06.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 10338 of 2026

Sivakumar @ Valaipala Sivakumar @ Chithappa

...Petitioner

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Madurai NIBCID Police Station,
Madurai District.
(Crime No.374 of 2023)

...Respondent/Complainant

For Petitioner : Mr.M.Karunanithi
Advocate

For Respondent : Mr.G.Ganesh Kumar
Government Advocate (Crl. Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 374 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 13.06.2023, for the offences punishable under Sections 8(c) r/w. 20(b)(ii)(C), 25 and 29(1) of NDPS Act, in Crime No.374 of 2023 on the file of



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the respondent police, seeks bail.

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2. The case of the prosecution is that on secret information on 13.03.2026 at about 10.30 a.m., the respondent police went to the scene of occurrence, where they found the accused persons are in possession of 40 kilograms of ganja in one vehicle bearing Registration No.TN 85 E 8763 and also recovered 2000 kgs. of ganja from another vehicle bearing Registration No.TN 72 BP 6115 and 50 kgs. of ganja from another vehicle bearing Registration No.Tn 59 A 1575. Totally they recovered 2090 kgs. of ganja. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he was falsely implicated in this case and he has not committed any offence as alleged by the prosecution. Though the quantity involved is huge quantity, no contraband was recovered from this petitioner and the entire contraband have been recovered from A1 to A10. This petitioner has been implicated on the basis of the confession statement of the co-accused. Co-accused in this case have been released on bail. Hence, he prayed bail for the petitioner.

4. The learned Government Advocate (crl. Side) appearing for the



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respondent would submit that the offence are grave in nature. The quantity involved in this case is huge quantity. The entire contraband has been recovered from A1 to A10. On their confession statement other accused persons have been implicated in this case. The petitioner has 14 previous cases. Out of which four cases are similar in nature, out of which, some of the cases were disposed of. Investigation has been completed and charge sheet has also been filed before the concerned Court. Hence, he opposed the grant of bail to the petitioner.

5. This Court heard both sides and perused the materials available on record.

6. Considering the rival submissions made by the learned counsel on either side, considering the nature of charges levelled against the petitioner, though the prosecution has stated that the quantity involved in this case is commercial quantity, the contraband was recovered from A1 to A10 and no contraband has been recovered from this petitioner, only on the basis of the confession statement of the co-accused this petitioner has been implicated in this case, co-accused has also been released on bail, though the petitioner has 14 previous cases and some of the cases are similar in nature, most of the cases



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were disposed of by the trial court and in other he was granted bail, and considering the period of incarceration undergone by the petitioner, this Court

is inclined to grant bail to the petitioner subject to the following conditions:

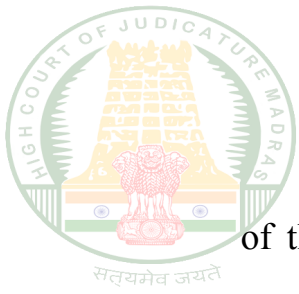
[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned **District and Sessions Judge, Principal Special Court for EC and NDPS Act Cases, Madurai**, and on further conditions that:

[b] the petitioner shall report before the learned **District and Sessions Judge, Principal Special Court for EC and NDPS Act Cases, Madurai, at 10.30 a.m., on all working days, until further orders:**

[c] the petitioner shall not commit any offence similar to the offence of which he/she is accused, or suspected, or of the commission of which he/she is suspected;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts



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of the case so as to dissuade her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

(P D B J)
15.06.2026

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To

- 1.The District and Sessions Judge, Principal Special Court for EC and NDPS Act Cases, Madurai.
- 2.The Inspector of Police,
Madurai NIBCID Police Station,
Madurai District. (Crime No.374 of 2023)
- 3.The Superintendent, Central Prison, Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J.

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ORDER
IN
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Date : 15.06.2026